

HW  
01966400410US

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/978,112	10/15/2001	1642	370	019664-000410US	3	14 12	2

CONFIRMATION NO. 3743

20350

TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

**FILING RECEIPT**



\*OC000000007001446\*

Date Mailed: 10/31/2001



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Roberto L. Rivera, Cincinnati, OH;

**Assignment For Published Patent Application**

ALLERGENICS, INC., SOUTH SAN FRANCISCO, CA;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A DIV OF 09/041,514 03/12/1998

**Foreign Applications**

If Required, Foreign Filing License Granted 10/30/2001

Projected Publication Date: 02/07/2002

Non-Publication Request: No

Early Publication Request: No

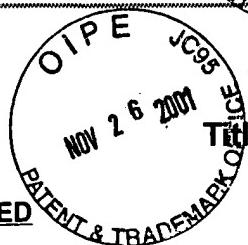
**\*\* SMALL ENTITY \*\***

**Title**

Delivery system to modulate immune response

Preliminary Class

424



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

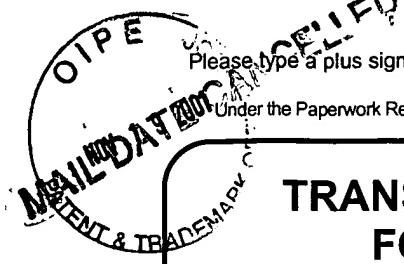
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# **TRANSMITTAL FORM**

*(to be used for all correspondence after initial filing)*

 <p><b>TRANSMITTAL FORM</b></p> <p><i>(to be used for all correspondence after initial filing)</i></p>	<b>Application Number</b>	09/041,514	
	<b>Filing Date</b>	October 15, 2001	
	<b>First Named Inventor</b>	Rivera, Roberto L.	
	<b>Group Art Unit</b>	Not yet assigned	
	<b>Examiner Name</b>	Not yet assigned	
Total Number of Pages in This Submission	1	Attorney Docket Number	019664-000410US

NOV 2 6

**ENCLOSURES (check all that apply)**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Assignment Papers<br><i>(for an Application)</i>               | <input type="checkbox"/> After Allowance Communication to Group                                      |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences                  |
| <input type="checkbox"/> Amendment / Response                                | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group<br><i>(Appeal Notice, Brief, Reply Brief)</i> |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition    | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s)<br><i>(please identify below):</i>            |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer  | Request for Corrected Filing Receipt   |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund   | Copy of Marked-up Filing Receipt   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s)  | Copy of Fee Transmittal filed 1015/01  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   | Return Postcard   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | Remarks   | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.             |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm and Individual name	Townsend and Townsend and Crew LLP  Hugh Wang	Reg. No. 47,163
Signature		
Date	November 20, 2001	

**CERTIFICATE OF MAILING**

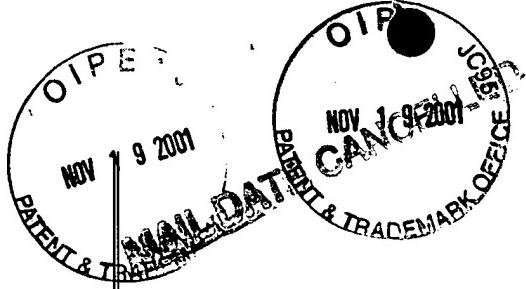
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, 2900 Crystal Drive, Arlington, VA 22202 on this date.

November 20, 2001

Typed or printed name	Kathy Johnston
Signature	
	Date
	November 20, 2001

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PA-212552-1

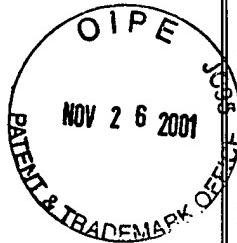
PA 3185284 v1



PATENT

Attorney Docket No.: 019664-000410US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: Roberto L. Rivera

Application No.: 09/978,112

Filed: October 15, 2001

For: DELIVERY SYSTEM TO  
MODULATE IMMUNE RESPONSE

Examiner: Not yet assigned

Art Unit: 1642

REQUEST FOR CORRECTED FILING  
RECEIPT

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Sir:

Attached is a copy of the Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

There is an error in the *TOTAL CLAIMS*. It should read as follows:

**--12--**

A copy of the Fee Transmittal filed October 15, 2001 is attached to evidence the claim count as filed. A copy of the marked-up Filing Receipt is also provided.

The applicant does not believe a fee to be due. Please charge any additional fees or credit overpayment to the Deposit Account No. 20-1430.

Respectfully submitted,

Hugh Wang  
Reg. No. 47,163

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
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# OPI FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

NOV 26 2001

TOTAL AMOUNT OF PAYMENT

(\$)

370

## Complete If Known

Application Number	Applied for
Filing Date	October 15, 2001
First Named Inventor	Rivera, Roberto L.
C/Examiner Name	Not yet assigned
Group Art Unit	Not yet assigned
Attorney Docket No.	019664-000410US

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

20-1430

Deposit Account Name

Townsend and Townsend and Crew LLP

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check     Credit card     Money Order     Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 710	201 355	Utility filing fee	370
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1)

(\$370)

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
12	20**		= 0	x \$0	\$0
2	-3**		= 0	x \$42	\$0
				x	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

## Other fee (specify)

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

## SUBMITTED BY

Name (Print/Type)	Hugh Wang	Registration No. (Attorney/Agent)	47,163	Telephone	650-326-2400
Signature			Date	October 15, 2001	

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